



JC06 Rec'd PCT/PTO 17 AUG 2005 PCT

PATENT

XV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: **10/535,135**
Filing Date: May 17, 2005
Applicant: Takahiro TSUTSUI et al.
Title: RECORDING MEDIUM
Attorney Docket: 25613-000009/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

August 17, 2005

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form PTO-1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) for each cited pending unpublished U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form PTO-1449 or on the copies of Form PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.H./

C. Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form PTO-1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form PTO-1449 are enclosed herewith.

D. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form PTO-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. See the attached foreign patent office communication from a counterpart foreign application:

2. English Abstracts are provided for JP 57-087989 (which is also referenced on page 3 of the specification), JP 60-072785 (which is also referenced on page 3 of the specification), JP 61-146591 (which is also referenced on page 3 of the specification), JP 2002-103807 (which is also referenced on pages 3 and 4 of the specification), JP 57-074192 (which is also referenced on page 3 of the specification), JP 61-154989 (which is also referenced on page 3 of the specification), JP 61-163886, JP 07-314883 (which is also referenced on page 3 of the specification), JP 2000-239578 (which is also referenced on page 2 of the specification), JP 10-044585 (which is also referenced on page 2 of the specification), JP 08-022608 (which is also referenced on page 2 of the specification), JP 02-276670 (which is also referenced on page 2 of the specification), and JP 60-232990 (which is also referenced on page 2 of the specification).

3. Other: JP 8-25796 is referenced on page 3 of the specification, and U.S. Patent No. 5670249 is provided as an English equivalent; JP 11-34484 is referenced on page 2 of the specification, and U.S. Patent No. 6338891 is provided as an English equivalent; JP 6-48016 is referenced on page 2 of the specification, and U.S. Patent No. 4879166 is provided as an English equivalent; JP 6-55829 is referenced on page 2 of the specification, and U.S. Patent No. 4879166 is provided

as an English equivalent; and JP 7-76161 is referenced on pages 2 and 3 of the specification, and U.S. Patent No. 5523149 is provided as an English equivalent.

C. The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. 37 C.F.R. § 1.97(b): (check only one box)

1. within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. 37 C.F.R. § 1.97(c): (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.H./

2. See the certification below. No fee is required.

C. 37 C.F.R. § 1.97(d):

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- A. each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or
- B. no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
- C. Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. § 1.704(d)

The undersigned hereby states that:

- each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

- A. No fee is believed to be due in light of the above-provided certification.
- B. A check in the amount of \$180.00 is enclosed for the above-identified fee.
- C. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R.
§§ 1.16 or 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By 
Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY:jcp

Enclosures: Form PTO-1449(s) (1 sheet(s))
 Documents
 Foreign Search Report
 Fee
 Other:



FORM HDP-1449 (Based on FORM RDO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
 (Use several sheets if necessary)

Sheet 1 of 2

ATTORNEY DOCKET NO.	SERIAL NO.
25613-000009/US	10/535,135
APPLICANT	
Takahiro TSUTSUI	
FILING DATE	GROUP
May 17, 2005	1794

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4879166	11/07/1989	MISUDA et al.		
2.		6338891	01/15/2005	KAWASAKI et al.		
3.		5670249	09/23/1997	TANUMA		
4.		5523149	06/04/1996	KIJIMUTA et al.		
5.		4242271	12/30/1980	WEBER et al.		
6.		4202870	05/13/1980	WEBER et al.		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No
1.		7-76161	03/20/1995	JAPAN		X
2.		8-25796	01/30/1996	JAPAN		X
3.		11-34484	02/09/1999	JAPAN		X
4.		6-55829	03/01/1994	JAPAN		X
5.		6-48016	02/22/1994	JAPAN		X
6.		57-087989	06/01/1992	JAPAN	ABST.	
7.		60-072785	04/24/1985	JAPAN	ABST.	
8.		61-146591	07/04/1996	JAPAN	ABST.	
9.		2002-103807	04/09/2002	JAPAN	ABST.	
10.		57-074192	05/10/1982	JAPAN	ABST.	
11.		61-154989	07/14/1986	JAPAN	ABST.	
12.		61-163886	07/24/1986	JAPAN	ABST.	

Examiner: /Gerard Higgins/

Date Considered: 05/21/2008

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.H./



FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
 (Use several sheets if necessary)

Sheet 2 of 2

ATTORNEY DOCKET NO.	SERIAL NO.
25613-000009/US	10/535,135
APPLICANT	
Takahiro TSUTSUI	
FILING DATE	GROUP
May 17, 2005	

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
13.		07-314883	12/05/1995	JAPAN		ABST.	
14.		2000-239578	09/05/2000	JAPAN		ABST.	
15.		10-044585	02/17/1998	JAPAN		ABST.	
16.		08-022608	01/23/1996	JAPAN		ABST.	
17.		02-276670	11/13/1990	JAPAN		ABST.	
18.		60-232990	11/19/1985	JAPAN		ABST.	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
1.		

Examiner: /Gerard Higgins/

Date Considered: 05/21/2008

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.H./